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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jaime HEREDIA,
Aka Antonio GONZALEZ

Defendant(s)

Magistrate Case No.

COMPLAINT FOR VIOLATION OF:

Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii)
Transportation of Illegal
Aliens

DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **March 25, 2008**, within the Southern District of California, defendant **Jaime HEREDIA aka Antonio GONZALEZ** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Hugo GUEVARA, Oscar JUAREZ-Guerrero, and Fortunato GOMEZ-Delgado** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

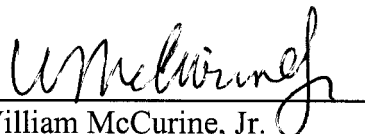
And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 27th DAY OF MARCH 2008.



William McCurine, Jr.
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:**Jaime HEREDIA****Aka Antonio GONZALEZ****PROBABLE CAUSE STATEMENT**

Furthermore, the complainant states that **Hugo GUEVARA, Oscar JUAREZ-Guerrero, and Fortunato GOMEZ-Delgado** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144

On March 25, 2008 Border Patrol Agent Petras was conducting anti-smuggling duties in Eastern San Diego County. Agent Petras was in plain clothes and operating an unmarked Department of Homeland Security surveillance/enforcement vehicle with fully functioning emergency lights and audible police siren. California. Agent Petras responded to a request for assistance from Border Patrol Agent Blanchard of the East County Abatement Team. Agent Blanchard was also working in a plainclothes capacity and was observing suspicious activity regarding a blue Chevrolet Suburban that was traveling west on Interstate 8 from the Pine Valley area.

Agent Blanchard relayed to Agent Petras that he had seen the Suburban traveling east on I-8 and then observed as it made a U-turn through a median and then began traveling west on I-8. As the Suburban traveled behind Agent Petras, Agent Blanchard relayed over the radio that he was also observing a possible scout vehicle that was possibly attempting to obstruct and interfere with his surveillance of the Suburban. Agent Petras, observing that this vehicle was a brown or grey Chevrolet Impala. During the surveillance of the two vehicles it was seen by Agent Blanchard that the driver of the Impala had placed a phone call to an unknown person. Immediately after this phone call was made the driver of the Suburban began to drive erratically on the highway as if being notified by someone they were being followed.

Agent Petras now took over observation of the Suburban while Agent Blanchard began surveillance of the Impala. Agent Petras noticed that there were no visible occupants in the rear compartment of the Suburban nor were there any rear seats.

During this event, agents in direct visual contact with these suspect vehicles had requested the assistance of a marked Border Patrol vehicle; Border Patrol Agent F. Rivera, in a marked Border Patrol sedan, responded and positioned himself on the Willows Road on-ramp to I-8. As Agent Petras continued surveillance, Dispatch relayed that records checks had revealed that the blue Suburban was confirmed stolen. The fact that this vehicle was listed as stolen confirmed that the Suburban was involved with criminal activity.

Agent Petras followed the Suburban on Willows Rd. to the Viejas Casino and the Impala acting as a scout vehicle began to accelerate at a high rate of speed and did not proceed to follow the suburban as it exited at Willows Road. Agent Petras followed the Suburban into the parking lot. Agent Petras, anticipating a bail-out, activated the emergency lights equipped on his unmarked DHS vehicle. The Suburban did not stop but instead continued making a wide U-turn and speeding past Agent Petras. As the Suburban passed Agent Petras, he was able to observe the driver as being a lighter complexioned Hispanic male with a shaved head, later identified as the defendant **Jaime HEREDIA aka Antonio GONZALEZ**.

CONTINUATION OF COMPLAINT:
Jaime HEREDIA
Aka Antonio GONZALEZ

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As the Suburban was attempting to flee, it was blocked by a grey Ford Expedition that was attempting to pull into a parking spot. The Suburban stopped momentarily then went forward, scraping the Expedition's front bumper. As the Suburban was outbound from the parking lot, Agent Rivera, driving a marked Border Patrol sedan, was inbound to assist Agent Petras; as it fled the parking lot, the Suburban collided with Agent Rivera, inflicting damage to the right front section of his sedan. The Suburban continued, exiting the parking lot and traveling back west on Willows Rd. at a high rate of speed. Agent Rivera sustained minor injuries as a result of this collision.

At approximately 10:07 P.M., the Suburban drove off the right hand shoulder of Willows Rd., where it traveled down a bank and collided with a tree, facing nose down. Agent Rodriguez was first on scene, with Agent Petras arriving a few seconds after. Both agents immediately commenced to apprehending the multiple subjects that were fleeing from the crashed Suburban, identifying themselves as United States Border Patrol Agents and questioning all four of these subjects as to their citizenship and immigration status. All four admitted that they were citizens and nationals of Mexico illegally present in the United States. Agents Petras and Rodriguez placed all four under arrest for illegal entry. After a foot pursuit of the driver the vehicle Agent Blanchard apprehended the individual who claimed to be a Mexican citizen by the name of Antonio Gonzalez. Agent Petras recognized the defendant as the driver of the Suburban whom he'd seen in the Viejas parking lot. The defendant was placed under arrest for suspicion of alien smuggling.

On March 26, 2008, at approximately 7:00 a.m., Viejas Casino security contacted Supervisory Border Patrol Agent M. Hansen regarding an additional subject that appeared to be injured from the vehicle accident. Agent Hansen responded to the casino and questioned the subject as to his immigration status. The subject identified as Fortunato GOMEZ-Delgado admitted to being a citizen and national of Mexico without any immigration documents to be in or remain in the United States legally. GOMEZ was placed under arrest and transported to the El Cajon Border Patrol station for processing.

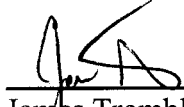
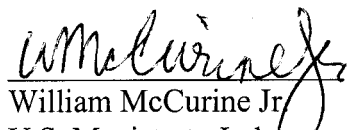
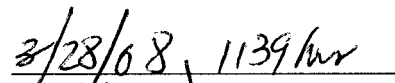
DEFENDANT STATEMENT:

The defendant was advised of his Miranda Rights and was willing to make a statement without an attorney present. He stated he is a United States citizen born in Los Angeles, California. He stated he crossed the border with a girl named "Maria" whom he stated was in the suburban.. When questioned as to why his clothes were still clean and all other individuals clothes in the vehicle were completely dirty he had no explanation as to why. When presented with the information that he had been positively identified by Agent Petras as the driver of the suburban he continued to deny it. Throughout the interview his story changed several times first stating he went to Mexico to see Maria, then instead of seeing Maria he went to Mexico to obtain some methamphetamines. He was unable to give the last name of Maria or the last name of his friend, Christian, whom he stated he knew from Los Angeles who dropped him off near Tecate, California in order to go to Mexico.

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CONTINUATION OF COMPLAINT:**Jaime HEREDIA****Aka Antonio GONZALEZ****MATERIAL WITNESSES STATEMENTS:**

Material witnesses Hugo GUEVARA, Oscar JUAREZ-Guerrero, and Fortunato GOMEZ-Delgado all freely admitted to being citizens and nationals of Mexico illegally present in the United States without the proper documentation to be in/enter the United States. They all stated they crossed with the help of at least one foot guide. All three witnesses were going to different locations in the interior United States. All three subjects were to pay a smuggling fee ranging between \$1,500.00 and \$2,500.00.


James Trombley
Senior Patrol Agent
William McCurine Jr.
U.S. Magistrate Judge
Date/Time